

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 11th day of February 2005

Bail application No. 993 of 2004

Order on the bail application of accused

CRIMINAL SIDE

Brahmapal S/o Chauhal
R/o Salempur Mehdood
P.S. Ranipur
District Haridwar.

.....Applicant

Versus

State of Uttaranchal

.....Opposite Party

Arising out of case crime No. 90 of 2004
Under Section 304 I.P.C. and
P.S. Ranipur
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 90 of 2004 under section 304 I.P.C. P.S. Ranipur District Haridwar.

Heard Sri K.S. Verma learned counsel for the applicant, learned A.G.A. and perused the record.

The first Information Report reveals that the offence was committed under the grave and sudden provocation.

Further, the applicant is in jail since 30.05.2004 and learned A.G.A. could not show any criminal history of the applicant.

Under the aforesaid circumstances of the case, I think it would be just and proper to release the applicant on bail.

Let the applicant Brahmapal be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. Concerned.

(B.C. Kandpal, J.)

**11.02.2005
ASWAL**